IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 20TH JUNE 2007 / 30TH JYAISHTA 1929

WP(C).No. 18968 of 2007(G)

PETITIONER:

M/S SABROS DECOR SYSTEMS,
D-1107, JAWAHARLAL NEHRU INTERNATIONAL STADIUM,
KALOOR, COCHIN-17 REPRESENTED BY ITS
PARTNER NISHA DEEPAK.

BY ADV. SRI.V.P.SUKUMAR
SRI.V.DEVANANDA NARASIMHAM

RESPONDENTS:

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1. THE SALES TAX OFFICER(WORKS CONTRACT),
O/O. DEPUTY COMMISSIONER,
COMMERCIAL TAXES, ERNAKULAM.

2. THE KERALA SALES TAX APPELLATE TRIBUNAL,
ADDITIONAL BENCH-I, ERNAKULAM.

3. THE INSPECTING ASSISTANT COMMISSIONER,
COMMERCIAL TAXES, ERNAKULAM,
KAKKANAD, COCHIN-30.

BY G.P. SRI. MOHAMMED RAFIQ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/06/2007 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR,J.

W.P.C. NO. 18968 OF 2007

Dated this the 20th day of June, 2007

JUDGMENT

During the pendency of the second appeal against assessment, Tribunal granted conditional stay directing payment of Rs. 2 lakhs. Counsel for the petitioner submitted that petitioner has remitted the amount. However, since the Tribunal did not extend the stay recovery is in progress. W.P. is therefore disposed of directing respondents to withhold recovery proceedings until disposal of the appeal by the Tribunal. Tribunal is directed to dispose of the appeal within three months from the date of production of a copy of this judgment by the petitioner.

(C.N.RAMACHANDRAN NAIR)
Judge